REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of June 11, 2007. All of the Examiner's objections and rejections are responded to herein. Reexamination and reconsideration of the application is requested.

The Office Action

Claim 29 is new. Claims 19-21 and 23 are cancelled by way of this amendment.

Claims 1-18, 22 and 24-29 remain in the application.

Claims 24-28 stand objected to due to informalities or for lack of adequate support.

Claims 1-12, 14-15, 17, 18 and 22 stand rejected under 35 U.S.C. 102(b) as being anticipated by US 6,192,805 to Saylor et al.

Claims 1, 5, 9 and 10 stand rejected under 35 U.S.C. 102(b) as being anticipated by US 6,701,677 to Gresham et al.

Claims 24-28 Are Adequately Supported By The Specification

The Examiner asserts that Claims 24-28, which were added by way of the amendment on March 9, 2007, are objected to due to informalities or because they lack adequate support in the specification. Applicant respectfully disagrees.

Claim 24 recites, "A receptacle for receiving an associated electrical cable and or an associated electrical plug appliance, the receptacle comprising a one piece substantially rigid stand member including a generally horizontal portion, a generally vertical portion, and a curved trough portion; and a flexible cable retaining member attached to one of the generally horizontal portion or the generally vertical portion of the stand member for resiliently retaining the associated electrical cable between the retaining member and the stand member, the retaining member including a plurality of apertures for allowing a flow of cooling air past the associated electrical cable and or the associated electrical plug appliance." The limitation of "a one piece substantially rigid stand member" is supported at paragraph 4 of the published application which states "the rigid stand member comprises a bent sheet which is preferably of plywood or moulded plastics, but metal or other rigid material may also be suitable." Paragraph 20 of the application also supports the concept of a stand member being formed (as a

single piece) by stating that the stand member can be formed by being bent from a sheet of plywood. As such, and particularly when read in light of Figures 1-14, the instant application teaches that, a piece of plywood or other material could be bent as necessary to form the base and or trough of the stand member such that it is of one piece.

As to the limitations of the stand member including "a generally horizontal portion, a generally vertical portion, and a curved trough portion", these limitations are supported by Figures 1-14. For example, Figure 1, illustrates the retaining member 3 attached to a generally vertical portion of the stand member 1 and the same being supported by a generally horizontal portion or base 2. Furthermore, Figure 1 points out a curved trough portion which is also described as such in paragraph 20 of the published application. Figures 1 and 10-12, also support the limitations of "a flexible cable retaining member attached to one of the generally horizontal portion or the generally vertical portion of the stand member for resiliently retaining the associated electrical cable between the retaining member and the stand member..." Lastly, Figures 2, 7, 10 and paragraphs 3-4 of the published application support the limitation of "the retaining member including a plurality of apertures for allowing a flow of cooling air past the associated electrical cable and or the associated electrical plug appliance." Specifically, paragraph 3 states, "a flexible cable retaining member which is so formed...while allowing a flow of air past the cable" and paragraph 4 states, "any flexible material with a sufficient number of apertures to allow heat to quickly dissipate from the cable is suitable for the flexible [cable retaining] member."

Claim 25 recites, "...wherein the flexible cable retaining member is connected to the stand member by at least one strap." These limitations are nearly identical to those recited in Original Claim 2 and find support in Figure 1 (straps 4,5) and paragraph 20 of the published application.

Claim 26 recites, "...wherein the vertical portion of the stand member includes a plurality of studs, the studs having an enlarged head portion, the at least one strap being removably received onto the enlarged head portions of the plurality of studs for securing the retaining member to the stand member." The limitations of a stud with an enlarged head portion and a strap being received onto the head to secure the retaining

member to the stand member are nearly identical to those recited in Original Claim 8. These limitations are additionally supported by Figures 10-14 and paragraph 28 of the published application.

Claim 27 recites, "...wherein the retaining member comprises an elastic net." These limitations are nearly identical to those recited in Previously Presented Claims 10 and 11 and find support in Figures 1-7 (flexible retaining member or net 3) and paragraph 20 of the published application by "A resilient, flexible cable-retaining member 3 comprises an elastic net..."

Claim 28 recites, "...wherein the stand member includes at least one slot for locating the associated electrical cable." This limitation is nearly identical to those recited in Previously Presented Claim 14 and Original Claim 15. Furthermore, Figures 1-5 and 7-9 illustrate support for a slot 6,7 in the stand member 1. Support for the limitation of a slot can also be found in paragraphs 25-27 of the published application.

As such, Claims 24-28 find adequate support in one or more areas of the figures, the claims, and the remaining specification.

Claims 1-12,14-15,17,18, 22 Are Not Anticipated by US 6,192,805 to Saylor et al.

Applicants respectfully contend that Saylor does not anticipate Claim 1, as currently amended, because Saylor fails to teach one or more features of Claim 1. By way of an amendment mailed March 9, 2007, Claim 1 was amended to recite "a receptacle for electrical cable comprising a substantially rigid stand member carrying a flexible cable retaining member which is so formed as to resiliently retain the cable between the cable retaining member and the stand while allowing a flow of air past the cable." The Examiner now asserts that the limitation of a rigid stand member is taught by a rear edge 13 of the work surface 11 of Saylor. To this extent, Applicant reiterates that the rear edge 13 of Saylor does not comprise part of the bin or receptacle in which the cable is retained as required by Claim 1. Furthermore, Saylor neither describes nor illustrates the cable 14 as being retained between the bin 10 of Saylor (cable retaining member) and the stand/rear edge 13 (again noting that the rear edge 13 is not actually "a stand" that is part of the cable receptacle or bin 10). At best, Saylor illustrates the cable 14 as simply laying on an upper surface 12 of the work surface 11 and entering

through an opening 60A of the bin 10.

To further distinguish Claim 1 from Saylor, Claim 1 has been amended to recite "the cable retaining member including a wall, wherein more than half of a surface area of the wall is perforated to allow for a flow of air past the cable." Even if the rear edge 13 of the table 11 in Saylor were considered to be a substantially rigid stand member, and even if the storage bin 10 were considered to be a flexible cable retaining member, then Saylor (particularly in view of amended Claim 1) does not disclose the storage bin as having a wall wherein more than half of a surface area of the wall is perforated. Moreover, Saylor does not teach retaining the electric cable 14 in such a fashion so as to allow "a flow of air past the cable." As pointed out previously, the receptacle or bin (10) of Saylor is a substantially enclosed bin/box design that inhibits and prevents the flow of air past the cable.

Support for this amendment to Claim 1 can be found in paragraph 4 of the present application as well as Figures 1-7 and 10-14. In particular, Figure 7 illustrates the flexible retaining member 3 having a wall and a surface area. In addition, Figure 7 illustrates a plurality of apertures in the flexible retaining member (or net 3) and it is readily apparent that the apertures or perforations consume more than half of the surface area of the wall of the flexible retaining member 3.

For the reasons discussed above, Claim 1, as amended, is not anticipated by Saylor and is now in condition for allowance. Furthermore, Claims 2-12, 14-15, 17, 18 and 22 are allowable by virtue of their dependency on Claim 1.

Claims 1, 5, 9 and 10 Are Not Anticipated by US 6,701,677 to Gresham et al.

The Examiner asserts that Gresham generally teaches a receptacle for an electrical cable 34 comprising a substantially rigid stand member 20 carrying a flexible cable retaining member 28 so formed as to resiliently retain the cable between the cable retaining member and the stand while allowing a flow of air past the cable. Applicant respectfully disagrees that pouch 28 could be seen as the flexible cable retaining member of Claim 1. The pouch 28 is not formed so as to resiliently retain the wires 34 between itself and the partition 20. Furthermore, even if this were the case, the pouch and partition arrangement of Gresham do not allow for a flow of air past the wire 34.

Rather, the pouch 28 is an "enclosure" which not only poses safety concerns but is explicitly taught against in the present application (paragraph 2 of the published application). Moreover, Claim 1, as currently amended, is clearly distinguished from and is not anticipated by Gresham. As discussed with respect to Saylor, Claim 1 now includes a limitation directed to "the cable retaining member including a wall, wherein more than half of a surface area of the wall is perforated..." Gresham fails to teach or illustrate a pouch or other cable retaining member having a wall wherein more than half of a surface area of the wall is perforated for the purpose of allowing a flow of air past the cables.

As to claim 10, the Examiner asserts that Figures 3-4 of Gresham illustrate a flexible cable retaining member that is a net. Applicant respectfully disagrees. Figures 3 and 4 illustrate a perspective fragmentary view of the covering 23 and a side view of the pouch 28 within the partition 20, respectively. Nowhere does Gresham describe or illustrate that the pouch 28 can be a net.

Accordingly, Claim 1, as currently amended, is not anticipated by Gresham and is now in condition for allowance. Furthermore, Claims 5, 9, and 10 are allowable by virtue of their dependency on Claim 1.

Lastly, Independent Claim 29 has been added by way of this amendment and is adequately supported by the specification. In fact, all of the recited claim limitations of Claim 29 (with the exception of "a net") were all previously recited with respect to Original Claim 1. The limitation of "a net" was previously recited in Previously Presented Claim 10 and finds additional support in Figures 1-7 (flexible retaining member or net 3). In addition, paragraph 20 of the published application provides further support by stating, "A resilient, flexible cable-retaining member 3 comprises an elastic net..."

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (1-18, 22 and 24-29) are now in condition for allowance. It is submitted that the foregoing comments do not require unnecessary additional search or examination.

No fees are believed to be due by way of this Preliminary Amendment. However, if a fee is due, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Deposit Account No. 06-0308.

In the event, the Examiner considers personal contact advantageous to the disposition of this case, he is encouraged to call the undersigned at the phone number listed.

Respectfully submitted,

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September 11, 2007
Date

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CERTIFICATE OF MAILING OR TRANSMISSION

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

☒ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

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September 11, 2007	**Kathleen A. Nimrichter**

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